

CONGRESSMAN SHERWOOD BOEHLERT (R-NY)
OPENING STATEMENT FOR VOTING STANDARDS HEARING
July 19, 2006

I want to join Chairman Ehlers in welcoming everyone here to this extraordinarily important hearing. Elections are obviously the keystone of our entire democratic system. If elections are not seen as legitimate, the entire American system unravels.

But making sure that election results are credible is a trickier and more technical matter than first appears to be the case. That's why our Committees worked together, under the leadership of Dr. Ehlers, to craft language in the Help America Vote Act requiring new technical standards for voting equipment and a new testing regime for those standards. That's not the part of the law that got the most attention, but it may prove to be the most important part of the law for the future of American democracy.

I say that because, as the nation moves to electronic voting systems, that is, to computers – which is a good trend, on the whole – the kinds of things that can go wrong with voting machines may become harder to recognize, harder to fix, and harder to prevent. I'm referring here mostly to unintentional problems, but security issues become more complex as well.

Over the long-run, newer voting machines are going to require clear, comprehensive technical standards and testing to ensure that election results are credible. In the short-run, I think we also need to require paper trails – even though they have their own problems – to ensure that election results can be checked.

I think all of us need to pay close attention to the testimony that will be offered today by Dr. Wagner and to his recommendations for making sure that electronic voting machines make voting more accurate and more secure, not the opposite. I'm not endorsing all of his recommendations at this point, but I am going to want to hear from each of our witnesses what they think of each of his recommendations.

And I don't simply want to hear that the recommendations will be expensive. How much is American democracy worth? As a nation, we ought to be as willing to invest in election equipment as we are in campaign ads.

Frankly, we in Congress haven't invested as much as we should in the development of the new standards, which have been delayed as a result. I'm not happy to learn that new standards are not likely to be fully enforceable until 2010 at the earliest – and that's only in states that choose to adopt them. I have to say that I had wanted the Help America Vote Act to require any state using federal money to purchase voting equipment to abide by the standards, but we weren't able to get that language into the bill.

But what we have now is an entirely voluntary system, and we need to make that work. I hope that today our Committees will get clear guidance on what needs to be done to ensure that a comprehensive standards gets developed, to ensure that those standards are capable of preventing problems with electronic voting machines, and to encourage states to adopt and effectively implement those standards. That's what's necessary to have credible election results in the future.

The essayist E.B. White once defined democracy as “the recurrent suspicion that more than half of the people are right more than half of the time.” That’s makes democracy a pretty fragile construct to begin with. But it’s an unworkable idea if we can’t accurately count what half of the people are thinking.

I look forward to today’s testimony. Thank you.